

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1, 4 and 5. This sheet, which includes Figs. 1, 4 and 5, replaces the original sheet including Fig. 1, 4 and 5.

Attachment: Replacement Sheets (3)

REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 27-53 are pending, Claims 27-32, 34-45 and 47-52 are amended and Claim 53 is newly added. No new matter is introduced.

In the outstanding Office Action, the Specification was objected to; the Drawings were objected to; Claims 27-52 were rejected under 35 U.S.C. §112, second paragraph; Claims 27 and 29-34 were rejected under 35 U.S.C. §102(b) as being anticipated by Chen et al. (Pub. No. WO 2004/016037, hereafter “Chen”); Claim 28 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Gollmar et al. (U.S. Patent No. 4,901,354); Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Butler et al. (U.S. Patent No. 6,474,816); Claim 36 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Nestorovic et al. (U.S. Publication No. 2004/0155186); Claims 37-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen; Claims 39, 40, 42-47 and 50-52 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Warrent (U.S. Patent No. 7, 013,009); Claim 41 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Warren and further in view of Gollmar; Claim 48 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Butler; and Claim 49 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chen, Warren, Butler, and Nestorovic.

Initially, Applicants wish to thank Examiner Phan for the courtesy of a personal interview conducted with Applicants’ representatives on December 8, 2010. During the interview, the outstanding issues in this case were discussed as summarized herein below and

in the Interview Summary, which the Examiner has made of record. Examiner Phan stated that the amendments presented herein appear to overcome at least the cited reference and the 35 U.S.C. §112 rejection, but no agreement was reached pending further search and consideration.

With respect to the objection to the Specification, it is respectfully submitted that the amendments made herein render the objection moot. Further, it is noted that the Preliminary Amendment of September 19, 2006 addressed the removal of “Figure 1” from the Abstract. Accordingly, it is respectfully requested that the objection to the Specification be withdrawn.

With respect to the objection to the Drawings, it is respectfully submitted the amendments made herein render the objection moot. As such, Figure 1 is amended to include a “retinal scanning display,” “view direction capture,” “photovoltaic cells,” and “speech recognition module.” Further, Figures 4 and 5 are amended to include descriptive text labels. Accordingly, it is respectfully requested that the objection to the Drawings be withdrawn.

In reply to the rejection of Claims 27-52 under 35 U.S.C. §112, second paragraph, Claims 27 and 40 are amended to recite “a plurality of directionally dependent microphones” and Claims 29 and 42 are amended to further clarify the features contained therein. Support for Claims 29 and 42 can be found at least in paragraph 0012 of the Specification. Accordingly, it is respectfully requested that the rejection of Claims 27-52 under 35 U.S.C. §112 be withdrawn.

In reply to the rejection of Claims 27 and 29-34 as being anticipated by Chen, amended Claim 27 recites, *inter alia*, a system for acoustical communication that includes:

a control module configured to dynamically adjust directional dependence of at least one directionally dependent microphone, *the control module adaptively adjusting the position of the at least one first directionally dependent microphone based on the voice signals captured by at least one second directionally dependent microphone* (Emphasis added).

Turning to the applied reference, Chen describes a pair of spectacles, audio system, speech device and a circuit module for improving the intelligibility of sounds.¹ More specifically, Chen describes signal conditioning circuitry that provides directionality from the microphones so as to reduce or eliminate sounds that originate in a direction different from the directionality of the microphones.²

Chen, however, does not describe that the signal conditioning circuitry adjusts the position of one microphone based on the voice signals captured by a second microphone.

Instead, Chen merely describes providing directionality from the microphones to reduce or eliminate sounds originating in a direction different from the directionality of the microphones.³ Nowhere does Chen describe changing the position of a microphone, much less changing the position of a microphone based on the voice signals captured by a second microphone.

Conversely amended Claim 27 recites that the control module *adjusts the position of the at least one first directionally dependent microphone based on the voice signals captured by at least one second directionally dependent microphone*. Therefore, Chen fails to describe the control module of amended Claim 27 and amended Claim 27, together with any claims depending therefrom, is believed to be in condition for allowance.

¹ Chen at page 1, lines 6-9.

² Id. at page 7, lines 8-11.

³ Id.

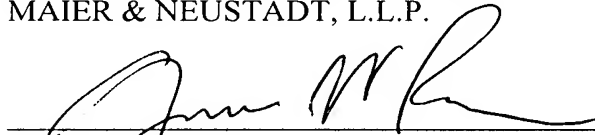
As all other rejections of record rely upon Chen for describing the above-distinguished features, and the above-distinguished features are not disclosed or suggested by Chen, alone or in combination with any other art of record, it is respectfully submitted that a *prima facie* case of obviousness has not been presented. Accordingly, it is respectfully requested that the rejection of Claims 28 and 35-52 under 35 U.S.C. § 103(a) be withdrawn.

Further, new Claim 53 recite features corresponding to those described in amended Claim 27 and is thus believed to be in condition for allowance.

For the reasons discussed above, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 27-53 is earnestly solicited.

Respectfully submitted,

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